



PATENT
Customer No. 22,852
Attorney Docket No. 5725.0832-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Veronique FERRARI et al.)	Group Art Unit: 1615
)	
Application No.: 09/749,036)	Examiner: J. VENKAT
)	
Filed: December 28, 2000)	Confirmation No.: 5474
)	
For: COMPOSITION COMPRISING AT)	
LEAST ONE POLYAMIDE)	
POLYMER AND AT LEAST ONE)	
PASTY FATTY SUBSTANCE AND)	
METHODS FOR USE (AS)	
AMENDED))	

MAIL STOP AMENDMENTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(c)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicants bring to the attention of the Office the documents on the attached listing. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action. or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00 as specified under § 1.17(p).

08/31/2005 MBEYENE1 00000017 09749036

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180.00 DP

Copies of the listed documents are attached, excluding any U.S. Patents. The Examiner stated in the April 29, 2005, Office Action that she considered references cited in the IDS Forms PTO/SB/08 filed but crossed through some of the citations and did not initial the entries to avoid the printing of the those documents on the face of any patent granted there from. In light of the Examiner's representations regarding the crossing-out of references, Applicants will consider any entries crossed through by the Examiner in this case as having been properly submitted and considered by the Examiner unless the Examiner specifically states otherwise in the papers returning the form.

The United States Court of Appeals for the Federal Circuit held in *Dayco Products, Inc. v. Total Containment, Inc.*, 329 F.3d 1358, 66 U.S.P.Q.2d 1801 (Fed. Cir. 2003), that an "adverse decision" by another examiner may meet the materiality standard under the amended Rule 56, and thus, Applicants should disclose prior rejections of "substantially similar claim[s]" to the Office. Accordingly, although Applicants are not representing that the office actions in the co-pending applications are material to the present application and are not admitting that any of the other claims are substantially similar, out of an abundance of caution, Applicants have listed the substantive office actions filed in co-pending applications on the attached form.

Applicants respectfully request that the Office consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

With respect to the non-English language documents, Applicants submit the following remarks:

1. **FR 2 804 014** - An abstract of the disclosure of this document can be found in the English language abstract obtained from esp@cenet, which is submitted herewith. This document is believed to be related to Patent Application Publication No. US 2001/0028887 A1.

2. **FR 2 817 742** - An abstract of the disclosure of this document can be found in the English language abstract obtained from esp@cenet, which is submitted herewith. This document is believed to be related to U.S. Patent No. 6,761,881 B2.

3. **JP 02/207014** - An abstract of the disclosure of this document can be found in the English language abstract from Patent Abstracts of Japan, which is submitted herewith.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Office applies any of the documents as prior art against any claims in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

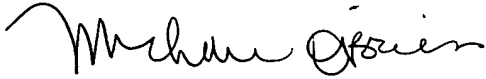
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please
charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: August 29, 2005

By: 
Michelle E. O'Brien
Reg. No. 46,203

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

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of

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Complete if Known

Application Number	09/749,036
Filing Date	December 28, 2000
First Named Inventor	Veronique FERRARI et al.
Art Unit	1615
Examiner Name	J. VENKAT
Attorney Docket Number	05725.0832 -00000

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

Examiner Initials	Cite No. ¹	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US-3,157,681	11/17/1964	Fischer	
		US-6,503,522 B2	1/7/2003	Lawson et al.	
		US-6,716,420 B2	4/6/2004	Feng et al.	
		US-			
		US-			
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		US-			

Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.**FOREIGN PATENT DOCUMENTS**

Examiner Initials	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		FR 2 804 014	7/27/2001			
		FR 2 817 742	6/14/2002			
		JP 02/207014	8/16/1990			
		WO 02/47606 A2	6/20/2002			

NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation ⁶
		English Language Abstract of FR 2 804 014 from esp@cenet	
		English Language Abstract of FR 2 817 742 from esp@cenet	
		Harry's Cosmeticology 375-383 (J.B. Wilkinson & R.J. Moore eds., Chemical Pub. 7th ed. 1982).	
		Office Action in co-pending Application No. 09/733,896 (Attorney Docket No. 05725.0806) dated July 13, 2005 (Ex. Nutter)	
		Patent Abstracts of Japan of 2/207014	
Examiner Signature			Date Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.